

ALEX G. TSE (CABN 152348)
United States Attorney

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 18-MJ-70219 MAG
)	
Plaintiff,)	
)	STIPULATION AND PROPOSED ORDER
v.)	CONTINUING PRELIMINARY HEARING AND
)	EXTENDING TIME UNDER RULE 5.1
JAMIE TABATABAI,)	
)	
Defendant.)	

The United States of America, through Andrew F. Dawson, Assistant United States Attorney, and the defendant, Jamie Tabatabai, through his counsel, hereby stipulate to continue the preliminary hearing in this matter from October 31, 2018 to December 19, 2018 at 9:30 a.m. before the Duty Magistrate. The defendant agrees that good cause exists to extend the time limits of Rule 5.1(c) to December 19, 2018.

The parties agree that good cause exists, taking into account the public interest in the prompt disposition of criminal cases, to extend the time for the preliminary hearing to December 19, 2018. The parties have been discussing a resolution of this matter and are hopeful that such a resolution might be reached without burdening Court with further proceedings after indictment. The government has

1 produced a substantial quantity of discovery to the defendant, including linesheets and recordings
2 associated with multiple federally authorized wiretaps. Defense counsel is reviewing discovery in order
3 to inform ongoing settlement discussions. The parties further note that the defendant has been released
4 on bond.

5 The parties also agree that an exclusion of time is appropriate under the Speedy Trial Act
6 between October 31, 2018 and December 19, 2018 for purposes of the effective preparation of counsel,
7 and to permit counsel to conduct an investigation and consult with the defendant. In addition, the
8 defendant agrees to exclude for this period of time any time limits applicable under 18 U.S.C. § 3161.
9 The parties also agree that the ends of justice served by granting such a continuance outweigh the best
10 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

11 Respectfully submitted,

12 ALEX G. TSE
13 United States Attorney

14 Dated: October 25, 2018

15 /s/
ANDREW F. DAWSON
Assistant United States Attorney

16 Dated: October 25, 2018

17 /s/
GIL EISENBERG
Attorney for JAMIE TABATABAI

1 **~~PROPOSED~~ ORDER**

2 Based upon the representation of counsel and for good cause shown, the Court finds that good
3 cause exists, taking into account the public interest in the prompt disposition of criminal cases, for
4 extending time under Rule 5.1 and continuing the preliminary hearing from October 31, 2018, to
5 December 19, 2018.

6 Therefore, IT IS HEREBY ORDERED that:

7 (1) The preliminary hearing or arraignment date is continued to December 19, 2018, at 9:30
8 a.m. before the Duty Magistrate;

9 (2) Good cause exists to extend the time for the preliminary hearing under Rule 5.1 to
10 December 19, 2018; and

11 (3) The time until December 19, 2018 shall be excluded from computation of any time limits
12 under the Speedy Trial Act and 18 U.S.C. § 3161.

13
14
15 DATED: 10/30/18


HON. KANDIS WESTMORE
United States Magistrate Judge